

Assembly Bill No. 2745

CHAPTER 794

An act to add Section 1262.4 to the Health and Safety Code, relating to health facilities.

[Approved by Governor September 29, 2006. Filed with
Secretary of State September 29, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2745, Jones. Hospitals: discharge plans: homeless patients.

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. A violation of these provisions is a crime. Existing law requires each hospital to have in effect a written discharge planning policy and process that requires appropriate arrangements for posthospital care and a process that requires that each patient be informed, orally or in writing, of the continuing care requirements following discharge from the hospital, as specified.

This bill would require each hospital to be represented, as specified, in regional planning meetings, convened regionally as defined by the 3 regional hospital associations or through smaller geographic sections comprised of groups of hospitals in one or more counties, to improve the posthospital transition of homeless patients, as specified. The bill would require each regional hospital association, or smaller geographic grouping of hospitals, to invite the county board of supervisors, law enforcement, and others to participate. The bill would require, by January 1, 2008, the development of a specified document based upon the regional planning meetings.

The bill would also prohibit a hospital from causing the transfer of homeless patients from one county to another county for the purpose of receiving supportive services from a social services agency, health care service provider, or nonprofit social service provider within the other county, without prior notification to, and authorization from, the social services agency, health care service provider, or nonprofit social service provider.

By creating a new crime, this bill would result in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. (a) Each hospital, as defined in subdivisions (a), (b), and (f) of Section 1250 of the Health and Safety Code, shall be represented in regional meetings to address the posthospital transition of homeless patients by the regional hospital association designee within which the hospital is located. Regional meetings shall include those convened by the three regional hospital associations, and smaller geographic sections comprised of hospitals in one or more county.

(b) Topics of discussion within the regional meetings shall include, but not be limited to, the identification of community-based best practices for the posthospital transition of homeless patients, methods to establish and support effective communications between hospitals and stakeholders regarding this transition, and the identification of the resources, including supportive services, that are available or needed or both to assist with this transition.

(c) Each regional hospital association or smaller geographic grouping of hospitals, as determined by the regional hospital associations, shall invite key stakeholders within the region to address the regional planning meetings and provide relevant information for the topics under discussion. Key stakeholders include, but are not limited to, the county board of supervisors, law enforcement, county social services agencies, county health care service providers, continuum of care coordinators, as defined by the federal Department of Housing and Urban Development, nonprofit social service providers, and regional advocates for the homeless.

(d) By January 1, 2008, each regional hospital association or smaller geographic grouping of hospitals, as determined by the regional hospital associations, shall develop a document that is a compilation of recommendations based upon the regional planning meetings. The document shall be made available to the public and key stakeholders within a region.

(e) The requirements of this section shall not be construed to limit any other efforts of hospitals and key stakeholders to improve the transition of homeless patients.

(f) For purposes of this section, “homeless patient” means an individual who lacks a fixed and regular nighttime residence, or who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, or who is residing in a public or private place that was not designed to provide temporary living accommodations or to be used as a sleeping accommodation for human beings.

SEC. 2. Section 1262.4 is added to the Health and Safety Code, to read:

1262.4. (a) No hospital, as defined in subdivisions (a), (b), and (f) of Section 1250, may cause the transfer of homeless patients from one county to another county for the purpose of receiving supportive services from a social service agency, health care service provider, or nonprofit social

service provider within the other county, without prior notification to, and authorization from, the social service agency, health care service provider, or nonprofit social service provider.

(b) For purposes of this section, “homeless patient” means an individual who lacks a fixed and regular nighttime residence, or who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, or who is residing in a public or private place that was not designed to provide temporary living accommodations or to be used as a sleeping accommodation for human beings.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.